

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

RANDY JOE NASS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:06-cv-238-WKW
	)	
FRANK MORTON LANGDON, III, <i>et al.</i> ,	)	
	)	
Defendant.	)	

**ORDER**

Upon consideration of the parties's Joint Motion for Hearing to Approve Settlement (Doc. # 22), it is hereby

ORDERED that the motion is GRANTED. It is further ORDERED that:

1. The parties are DIRECTED to appear on January 17, 2007 at **3:00 p.m.** in Courtroom 2E, United States Courthouse, One Church Street, Montgomery, Alabama, for a *pro ami* fairness hearing;
2. Robert Lester Pittman, Esq., of the law firm of James & Pittman, P.C. of Montgomery, Alabama, is appointed *guardian ad litem* to represent and defend the interests of Madison Nass and Mason Nass, the minor plaintiffs in these proceedings; and
3. Attorney Pittman is DIRECTED to appear at **2:30 p.m.** in the Chambers of the undersigned, United States Courthouse, One Church Street, E-300, Montgomery, Alabama.

Further, the parties are hereby ADVISED that in preparation of the *pro ami* hearing, the parties should prepare the following documents:

1. PRO AMI SETTLEMENT AGREEMENT: This document should include all relevant facts, releases or waivers, admissions of guilt or dispute as to liability, amount of settlement proposed, terms of settlement, method of effectuating transfer of settlement proceeds from defendant(s) to minor plaintiffs, discussion of payment of attorney's fees for plaintiffs' attorney, discussion of payment of *guardian ad litem* fees, determination as to payment of costs and determination as to conservator of minor plaintiffs;
2. JOINT STIPULATION OF DISMISSAL: Parties should be prepared to effectuate the payment of settlement proceeds and all relevant fees on the day of the hearing so that the joint stipulation of dismissal can be executed by the parties and the case can be closed immediately subsequent to the hearing; and
3. PROPOSED ORDER FOR APPROVAL OF PRO AMI SETTLEMENT AGREEMENT: This document should include a finding by the court that the proposed *pro ami* settlement is reasonable, just and in the best interests of the minor plaintiffs; amount of settlement proceeds to be received by minor plaintiffs; payment of attorneys' fees for minor plaintiffs' attorney; payment of *guardian ad litem* fee; and assessment of costs.

These documents should be submitted to the chambers of the undersigned ***no later than three days*** prior to the hearing and the proposed order should be submitted in WordPerfect format to "propord\_watkins@almd.uscourts.gov."<sup>1</sup>

The Clerk of the Court is hereby DIRECTED to provide a copy of the Complaint and this Order to Attorney Pittman.

DONE this 8th day of January, 2007.

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/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> In further preparation for the *pro ami* hearing, the parties should: (1) be prepared to present evidence— through the testimony of witnesses and evidentiary exhibits— of the nature and extent of the injuries of the minor plaintiffs; past, present and future medical bills; insurance coverage of the claims of minor plaintiffs; and plans for settlement proceeds; (2) be prepared to address the issue of utilization of the settlement proceeds (i.e., "for the use and benefit of the minor plaintiffs"); (3) be prepared to answer questions posed by the court; and (4) review the court's Amended General Order Implementing Requirements of the E-Government Act which is posted on the court's website.

